

City of Winchester
Community Development Block Grant Program
Annual Action Plan
FY 2008
July 1, 2007- June 30, 2008

Executive Summary

Consolidated Plans and Annual Action Plans are required from all jurisdictions receiving annual entitlements from the U.S. Department of Housing and Urban Development (HUD). The City of Winchester completed a Consolidated Plan in 2004 which includes a plan for the use of funds provided through the Community Development Block Grant (CDBG) Program over the five (5) year period from 2004-2008. The Annual "Action Plan" is prepared as part of that requirement and serves as the strategic plan for achieving the goals identified in the Consolidated Plan.

This plan, "2007 Annual Action Plan", details the proposed priority programs and related budget for the fiscal year 2008. This report will be submitted to the U.S. Department of Housing and Urban Development (HUD) in May of 2007. The 2007 Annual Action Plan covers the same program area as the Consolidated Plan: CDBG.

Examples of programs include single family rehabilitation, multi-family rehabilitation, emergency home repair, neighborhood beautification projects, and homeownership programs. A full list of programs proposed for funding this year and descriptions is located in the body of the Action Plan. All programs funded by CDBG funds must be consistent with HUD's three National Objectives:

1. Benefit low- and moderate-income persons;
2. Aid in the prevention or elimination of Slums or blight; and
3. Meet a need having a particular urgency.

The Office of Housing and Neighborhood Development administers and oversees all projects related to the Community Development Block Grant Program. The Department works with other departments and local community organizations to achieve the goals described in the Consolidated and Action Plans.

The Community Development Committee (formed in January, 2006) provides input, assists staff in outreach to the community and makes final recommendations for program funding to City Council for approval of Consolidated and Action Plans as well as other activities related to housing and neighborhood development. The Community Development Committee also reviews and confirms approval of all subrecipient applications.

Community Description

Winchester, founded in 1744, is the oldest Virginia City west of the Blue Ridge Mountains. Located at the northern entrance of the Shenandoah Valley, the City encompasses 9.3 sq. miles and is the medical, industrial, commercial and agricultural center for the surrounding areas. The City has a population of approximately 25,000 with 6,600 single family homes and over 3,500 multi-family dwellings.

Winchester is a community with a rich heritage and a dynamic future. It is the home of General Stonewall Jackson's Headquarters, occupied by General Jackson during the winter of 1861-62; George Washington's Office where he spent much of his time in Winchester

from 1748 till 1758; and the home of the country singing legend Patsy Cline. The area is replete with historical sites and visitor attractions.

Community Development Needs

The eligibility threshold for community development programs, as defined by HUD, is persons and families whose household income is 80% of the area median income or below. Within this category are several sub-categories. Very low-income families, for example, are those whose income is between 0 and 30% of the area median income. Low-income families are defined as those whose income is between 30 and 50% of the area median income. Qualifying moderate-income families have incomes between 50 and 80% of area median income.

Detailed income and poverty data is based on the 2000 Census. According to the 2000 Census, there were 10,321 households in Winchester at the time of the count. Using HUD criteria, 2,567 households were considered low-income, with incomes at 50% of the area median income or below. Another 2,158 households were determined to be moderate-income, with incomes between 50 and 80% of area median income. The total number of households in Winchester that could be classified as low- and moderate-income was 4,725 or 47.4% of the City's households.

Plan Development Process

A summary of the 2007 Annual Action Plan was provided to the public via a newspaper advertisement that was published in the Winchester Star twice as well as posted on the City's website at www.winchesterva.gov/ohnd/. The draft plan was made available upon request by any citizen or organization interested in the contents for a 30-day public comment period April 7- May 8, 2007.

To ensure the public could participate in this review process, copies of the Plan were also made available at each of the public meetings held for input and comment on the Plan.

then welcome to discuss their ideas for usage of funds and needs in the City through a facilitated process. The discussions focused on a few key issues including neighborhood conditions- sidewalks, street lighting, landscaping and park conditions. Residents of the North End Target Area were very interested in additional improvements in the Douglass Community Park including landscaping, new play equipment, and programming.

Citizen comments regarding the City's Community Development activities are always welcome, but were officially requested regarding the 2007 Annual Action Plan April 7-May 8. Citizens were encouraged to provide input regarding the proposed 2007 Action Plan at City Council and Community Development Committee meetings during the month of April. On May 8, 2007, after a public hearing, discussion and vote, Council approved the 2007 Annual Action Plan and directed staff to forward this plan to the Department of Housing and Community Development for review and approval.

Objectives and Outcomes

The 2006 Annual Action Plan proposes use of CDBG funds for the following Program Areas:

Administration:	\$51,963
Homeownership:	\$60,000
<u>Neighborhood Improvements:</u>	<u>\$147,851</u>
Total Funds:	\$259,814

The FY 2008 allocation of CDBG funds committed to Homeownership activities (\$60,000) will be awarded to Habitat for Humanity for the construction of two homes in the North End Target Area. This allocation was a result of the competitive application process administered in 2007. The FY 2008 allocation of CDBG funds committed to Neighborhood Improvements will be directed toward making necessary improvements to neighborhood infrastructure including sidewalks, streetlights and landscaping (\$107,851) and additional improvements to the Douglass Community Park (\$40,000). CDBG funds will be leveraged with local to complete the neighborhood improvement projects.

The balance of the FY 2007 allocation of CDBG funds (\$51,963) will be committed to the administration of the CDBG Program including staff and management costs. Administrative costs will be used to fund the position of the Neighborhood Development Coordinator, whose responsibilities include the administration, management and oversight of all CDBG funded projects.

Evaluation of Past Performance

FY 2008 marks the fourth CDBG Program year in the City of Winchester. To date, the City has been allocated \$1,115,661 from HUD through the CDBG Entitlement Program. Since 2004, the City has allocated CDBG funds to activities including Homeowner Rehabilitation, Homeownership and Neighborhood Improvements that have been allocated for total performance of twenty-two owner-occupied housing rehabilitation projects, and an additional 2 resulting in new homeownership opportunities, as well as neighborhood (streetscape) and park improvements. Twenty percent of the total allocation was expended on administrative costs.

To date, the City has leveraged \$326,912 in CDBG funds for the creation of thirty-four (34) new homeownership opportunities to eligible low- and moderate-income homebuyers [twenty (20) new or re-construction, (4) rehabilitation, and ten (10) homeownership assistance]. The total amount allocated by the city for these projects is \$1,063,258 with an expected program income in FY 2007 of \$324,000.

To date, CDBG funds have been the sole source for scheduled rehabilitation of thirty four properties.

CDBG funds (\$406,140) accounted for 30% of the total funds administered by OHND allocated to neighborhood improvements. These improvements include streetscaping on Piccadilly, N Cameron and N Kent Streets, Douglass Park Improvements and Spot Blight Abatement.

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FY 2008 Annual Action Plan for Use of CDBG funds

Sources of Funds

Housing and Community Development funding resources for the Winchester area include the HUD Housing Choice Voucher Program, McKinney-Vento Homeless Assistance Act funds, Community Development Block Grant Funds, various awards through the Virginia Department of Housing and Community Development and local funds. The sum of these sources provides the funds available to address identified housing and community development needs in the City of Winchester. Residents of the City of Winchester benefit from the HUD Housing Choice Voucher Program, as well as some resources provided through the McKinney-Vento Homeless Assistance Act. These two programs serve areas larger than the City of Winchester. To date, the City has not accumulated program income as a result of its CDBG programs, though anticipates reporting program income in the future.

HUD Housing Choice Voucher Program

The City of Winchester is the administrative agent for the HUD Housing Choice Voucher Program. The City, working on behalf of the Virginia Housing Development Authority (VHDA) serves the localities of Winchester City, Frederick and Clarke Counties. The Current allocation of vouchers for the service area is two-hundred thirty (230). Currently there are about one-hundred thirty (130) vouchers leased in the City of Winchester alone.

McKinney-Vento Homeless Assistance Act Programs

McKinney-Vento Homeless Assistance Act Programs are administered by the regional Community Services Board, Northwestern Community Services (NWCS). NWCS currently administers two McKinney-Vento Programs including Supportive Housing Program (SHP) and Shelter Plus Care (S+C). Each of the programs serves the entire planning district, which includes Winchester City and the Counties of Clarke, Frederick, Page, Shenandoah and Warren. Funds are distributed on a first come- first serve basis. Over the last ten years, clients in the City of Winchester and Frederick County have received the majority of funds due to the greater concentration of homeless persons in these localities relative to the others in the district.

SHP is funded directly from HUD and is operated as a Permanent Housing Program from February through January. SHP provides housing and supportive services to homeless people with disabilities.

S+C is also funded directly from HUD and is operated from August through July. The program provides long term housing and supportive services for homeless people with disabilities.

Community Development Block Grant Program

The City of Winchester will receive \$259,814 from HUD through the Community Development Block Grant Program in July, 2007. The program is operated July- June and will provide for necessary public improvements in low income neighborhoods in the City.

In the previous three years of operation, the CDBG Program has funded projects that promote Homeownership, Housing Rehabilitation and Neighborhood Improvements, the three major priorities identified in the 2004 Consolidated Plan. The CDBG Program is administered by the City of Winchester and funds are currently targeted to the North End Target Area (see attached map).

Statement of Specific Annual Objectives

The City of Winchester established three major priorities in the 2004 Consolidated Plan: Homeownership, Rehabilitation and Neighborhood Improvements. Each subsequent Action Plan has described the City's efforts to commit funds to projects that will address the identified priorities. Last fiscal year (Program Year 2006) the Winchester City Council committed local funds to assist in efforts to address affordable housing needs in the community. To date, City Council has approved and budgeted \$500,000 for activities relating to the promotion of homeownership in the City of Winchester. Together, these funds have allowed the City to fund the following activities:

Priority 1: Homeownership

Activity	Recipient	Funds	Source	Performance Objectives	Outcome/Objective Statement
Employer Assisted Housing	City of Winchester Employees	\$115,278	Local	10 opportunities for employee homeownership	Availability for the purpose of providing decent affordable housing.
South Kent Street Revitalization Project	Robert E. Rose Memorial Foundation	\$223,800	Local	9 rehabilitation and/or new construction for homeownership	Affordability for the purpose of providing decent affordable housing.
Beau Street Homeownership	Habitat for Humanity	\$30,000	CDBG 2007	1 new construction for homeownership	Affordability for the purpose of providing decent affordable housing.
Fremont Street Homeownership	Habitat for Humanity	\$30,000	CDBG 2007	1 new construction for homeownership	Affordability for the purpose of providing decent affordable housing.

Priority 2: Rehabilitation

Activity	Recipient	Funds	Source	Performance Objectives	Outcome/Objective Statement
Volunteer Rehabilitation Program	RPJ Housing	\$70,460 \$10,476 \$39,063	CDBG 2004 CDBG 2005 Local	24 rehabilitations in the Target Area (program years 2006 and 2007)	Affordability for the purpose of providing a suitable living environment.
Volunteer Rehabilitation Program	Jeremiah Project	\$9,000	CDBG 2005	9 rehabilitations in the Target Area	Affordability for the purpose of providing a suitable living environment.
Rehabilitation Loan Program	Individual Resident	\$9,539 \$27,500	CDBG 2004 Local	1 minor rehabilitations in the Target Area	Affordability for the purpose of providing a suitable living environment

Priority 3: Neighborhood Improvements

Activity	Recipient	Funds	Source	Outcomes	Outcome/Objective Statement
Block Renewal Program	N End Target Area	\$107,851	CDBG 2007	Sidewalks, Streetlights, Ramps, Landscaping	Sustainability for the purpose of providing a suitable living environment
Douglas Park Improvements	n/a	\$50,000 \$40,000	CDBG 2005 CDBG 2007	Landscaping, Fencing, Equipment	Sustainability for the purpose of providing a suitable living environment
Acquisition, Demolition or Repair	n/a	\$45,000	Local	Properties returned to use (revolving fund)	Sustainability for the purpose of providing a suitable living environment

Outcomes for Specific Activities

The 2007 Annual Action Plan proposes use of funds for the following activities:

Administration:	\$51,963
Homeownership:	\$60,000
<u>Neighborhood Improvements:</u>	<u>\$147,851</u>
Total Funds:	\$259,814

Homeownership Activities funded with 2007 CDBG funds will include site preparation and construction of two homes in the North End Target Area. \$30,000 for each home will be awarded to Habitat for Humanity pending an Environmental Review.

Neighborhood Improvements funded with 2007 CDBG funds will include the demolition and replacement of sidewalks, installation of streetlights, handicapped ramps in the North End Target Area and improvements to the Douglass Community Park.

Obstacles to Addressing Underserved Needs

The City of Winchester has identified a number of needs within the three priority areas and is continuously working to meet those needs. There are several major barriers to addressing the unmet needs in the City:

- Scarcity of funds
 - o The City does not have an adequate pool of resources to address all identified needs. However, the City Council has committed to fund projects when possible that will increase opportunities for homeownership and neighborhood revitalization in the City.
- Limited Staff Resources and Community Capacity
 - o The City has limited staff resources to address the needs identified in the City. Opportunities for additional funding are often limited due to the lack of personnel to pursue them. There are few non-profit organizations with the ability to conceive and implement large scale projects. The City is working with several nonprofit organizations to develop greater capacity for undertaking projects. In addition, the City is examining creative ways to partner with several nonprofits and the private sector to meet the needs of the community.

Funds Planned for Targeted Areas

The City of Winchester identified a Target Area for CDBG funds in the 2004 Consolidated Plan (see attached map). Proposed projects in the Target Area are prioritized when identifying activities eligible for CDBG funds. Currently, all Homeownership and Neighborhood Improvement Projects funded with CDBG funds are located in the Target Area. Rehabilitation projects are prioritized based on location and need.

Other Actions

The CDBG Program is administered through the Office of Housing and Neighborhood Development (OHND). OHND was created in 2005 is responsible for planning and administration of the CDBG, HUD Housing Choice Voucher, Spot Blight Abatement, and Community Outreach Programs. The three core areas of focus for the office are: Housing Assistance, Neighborhood Revitalization and Community Outreach. Each of these areas includes a number of different programs and projects:

<u>Housing Assistance</u>	<u>Neighborhood Revitalization</u>	<u>Community Outreach</u>
Rental Assistance	Neighborhood Initiative	Housing and Community Resource Center
Rehabilitation Assistance	Spot Blight Abatement	
Homeownership Assistance	Block Renewal Program	Community Partnerships

In addition to the tasks included in the chart above, the Office of Housing and Neighborhood Development works with the City Council appointed Community Development Committee to make policy recommendations to Council regarding housing and community issues. OHND has identified a number of goals in its first strategic plan including outreach to local landlords to increase awareness of and participation in the Housing Choice Voucher Program, Standardization of practices and policies and the creation of an Employer Assisted Housing (homeownership) Program. The following are additional areas in which OHND has become involved. Each are listed on the 2006 Strategic Plan:

Analysis of Impediments to Fair Housing

In 2006 the City released a request for proposals from qualified organizations to conduct an Analysis of Impediments to Fair Housing. Currently underway, the draft analysis will be made available for public comment during the months of May and June. A formal presentation of the Analysis is scheduled for June 21, 2007. The Analysis, a requirement of participation with HUD funded programs covers the geographic area including the City of Winchester and the Counties of Clarke, Frederick, Page, Shenandoah and Warren. In anticipation of the upcoming HOME Consortium application to be submitted by the localities in the region, the City decided to undertake a regional study.

The City will incorporate the findings and recommendations of this Analysis into the next Action Plan and Consolidated Plan, as well as any other appropriate practices. The City did adopt a resolution to affirmatively further fair housing in 2004, and will continue to support that campaign. Although the document has not been formally adopted, OHND staff is preparing to host a number of Fair Housing trainings through a partnership with the Virginia Fair Housing Office in FY 2008.

Institutional Structure

In the 2004 Consolidated Plan, the City presented an analysis of the community's Institutional Structure with regard to housing and community development needs. Though not exhaustive, the analysis was as comprehensive as possible. Attached is a chart that provides information regarding the current services available to Winchester residents. As a result of the Analysis, OHND has identified gaps in services and will work in the coming year to address those gaps. Possible solutions to filling those gaps may be by enlisting the faith based community, civic organizations and private sector to participate in a number of programs. To date, OHND staff has identified the following needs:

- home maintenance courses
- financial literacy and budgeting

- transitional housing
- general self-sufficiency programs
- housing and credit counseling
- affordable home repair for large projects

Homeless and Other Special Populations

The City of Winchester participates in the local Continuum of Care Planning Process. To date, the CoC is organized and managed by Northwestern Community Services. NWCS convenes monthly meetings to share information about services in the community. These meetings are attended by members of the Homeless Advisory Network which represents the entire planning district. Members have served as the CoC planning group for several years. Recently, the Homeless Advisory Network adopted bylaws, and presented a slate for membership of a governing board for the first time. This board will be approved at the June meeting. Future goals of this new governing board may be the adoption of an Anti-Poverty Strategy as well as a analysis of existing services to provide more comprehensive menu of services available to homeless individuals and families. Although an Anti-Poverty Strategy may not directly impact the current homeless, the strategy would assist in homeless prevention and provide a roadmap for creating opportunities for those at risk.

Monitoring

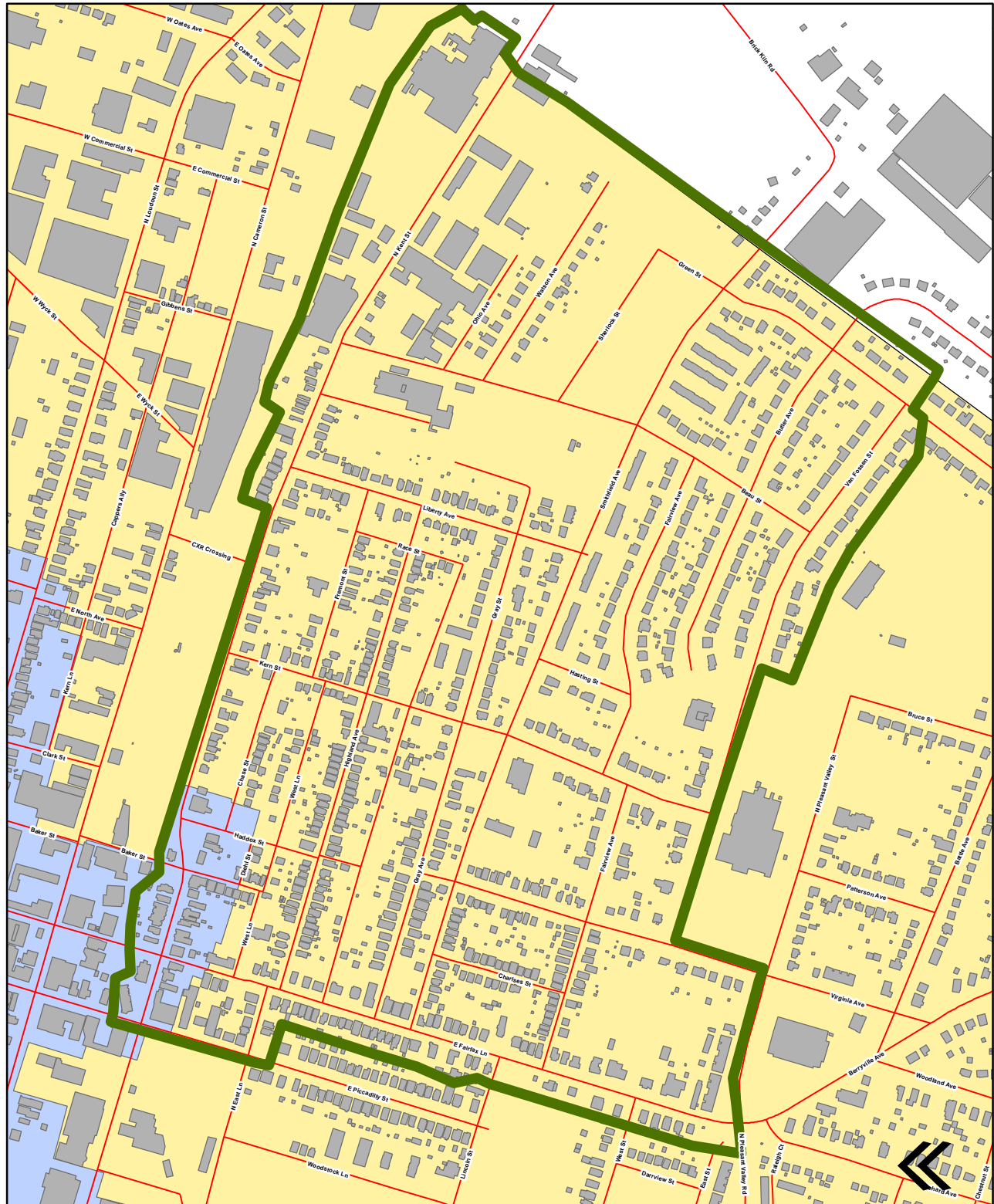
The Office of Housing and Neighborhood Development is responsible for monitoring all activities funded by the CDBG Program. Monitoring includes ensuring compliance of the City (Grantee) with all applicable regulations associated with the Program. In addition, the City often contracts with partner organizations (Subrecipients) to undertake specified activities. In those cases, OHND will monitor the progress and administrative systems of the Subrecipient to ensure compliance with all applicable program requirements. OHND assumes the responsibility of maintaining all records associated with activities and has the full support of other departments including the City Attorney's Office, the Finance and Information Technology Departments and any other departments as needed to ensure the success of all activities funded with CDBG.

The City Attorney and Purchasing Agent play an active role in executing all Subrecipient Agreements in order to satisfy local, state and federal guidelines. When appropriate, agreements will contain references to specific federal requirements as described in the reference manual: "Managing CDBG: A Guidebook for Grantees on Subrecipient Oversight". During the course of the Agreement period, Subrecipients are required to submit reports regarding the status of the project. In addition, OHND staff will make periodic visits to monitor the progress of the project as well as the administrative systems in place to confirm the reported progress of the project. OHND will review and process all requests for payment from subrecipients and submit to the Finance Department for final review and approval. In addition, OHND will initiate all draws from HUD in IDIS, and the Assistant Finance Director will approve them.

Overall timeliness of the projects will be monitored through regular data entry into the IDIS and reported formally on an annual basis through the process of submitting the CAPER.

The City will follow guidance provided in “Ensuring CDBG Subrecipient Timeliness: Guidelines for Grantee Selection, Management and Oversight of Subrecipients in the Community Block Grant Program”. The City reserves the right in all Agreements to terminate if noncompliance of a subrecipient is discovered and corrective action is not pursued.

The City of Winchester Project Target Area



- Legend**
- Street_Centerlines
 - Hist_Dist
 - City_Limit
 - Program Target Area

0 0.04 0.08 0.16 Miles

The City of Winchester is not responsible for the inaccuracies of this mapping.

APPLICATION FOR FEDERAL ASSISTANCE

Version 7/03

1. TYPE OF SUBMISSION: Application <input type="checkbox"/> Construction <input type="checkbox"/> Non-Construction		2. DATE SUBMITTED	Applicant Identifier	
Pre-application <input type="checkbox"/> Construction <input type="checkbox"/> Non-Construction		3. DATE RECEIVED BY STATE	State Application Identifier	
		4. DATE RECEIVED BY FEDERAL AGENCY	Federal Identifier	
5. APPLICANT INFORMATION				
Legal Name:		Organizational Unit:		
		Department:		
Organizational DUNS:		Division:		
Address:		Name and telephone number of person to be contacted on matters involving this application (give area code)		
Street:		Prefix:	First Name:	
City:		Middle Name		
County:		Last Name		
State:	Zip Code	Suffix:		
Country:		Email:		
6. EMPLOYER IDENTIFICATION NUMBER (EIN): □□-□□□□□□□□		Phone Number (give area code)		Fax Number (give area code)
8. TYPE OF APPLICATION: <input type="checkbox"/> New <input type="checkbox"/> Continuation <input type="checkbox"/> Revision If Revision, enter appropriate letter(s) in box(es) (See back of form for description of letters.) <input type="checkbox"/> <input type="checkbox"/> Other (specify)		7. TYPE OF APPLICANT: (See back of form for Application Types) Other (specify)		
10. CATALOG OF FEDERAL DOMESTIC ASSISTANCE NUMBER: TITLE (Name of Program): □□-□□□□		9. NAME OF FEDERAL AGENCY:		
12. AREAS AFFECTED BY PROJECT (Cities, Counties, States, etc.):		11. DESCRIPTIVE TITLE OF APPLICANT'S PROJECT:		
13. PROPOSED PROJECT		14. CONGRESSIONAL DISTRICTS OF:		
Start Date:	Ending Date:	a. Applicant		b. Project
15. ESTIMATED FUNDING:		16. IS APPLICATION SUBJECT TO REVIEW BY STATE EXECUTIVE ORDER 12372 PROCESS?		
a. Federal	\$. ⁰⁰	a. Yes. <input type="checkbox"/> THIS PREAPPLICATION/APPLICATION WAS MADE AVAILABLE TO THE STATE EXECUTIVE ORDER 12372 PROCESS FOR REVIEW ON DATE:		
b. Applicant	\$. ⁰⁰	b. No. <input type="checkbox"/> PROGRAM IS NOT COVERED BY E. O. 12372		
c. State	\$. ⁰⁰	<input type="checkbox"/> OR PROGRAM HAS NOT BEEN SELECTED BY STATE FOR REVIEW		
d. Local	\$. ⁰⁰	17. IS THE APPLICANT DELINQUENT ON ANY FEDERAL DEBT?		
e. Other	\$. ⁰⁰	<input type="checkbox"/> Yes If "Yes" attach an explanation. <input type="checkbox"/> No		
f. Program Income	\$. ⁰⁰			
g. TOTAL	\$. ⁰⁰			
18. TO THE BEST OF MY KNOWLEDGE AND BELIEF, ALL DATA IN THIS APPLICATION/PREAPPLICATION ARE TRUE AND CORRECT. THE DOCUMENT HAS BEEN DULY AUTHORIZED BY THE GOVERNING BODY OF THE APPLICANT AND THE APPLICANT WILL COMPLY WITH THE ATTACHED ASSURANCES IF THE ASSISTANCE IS AWARDED.				
a. Authorized Representative				
Prefix	First Name		Middle Name	
Last Name		Suffix		
b. Title		c. Telephone Number (give area code)		
d. Signature of Authorized Representative		e. Date Signed		

Listing of Funding Sources

Entitlement Grant CDBG	\$251,814
Prior Years' Program Income NOT Previously Programmed or Reported	\$324,000
Reprogrammed Prior Years' Funds	\$0
Total Estimated Program Income	\$324,000
Other Funds	
Total Funding Sources	\$575,814
Submitted Proposed Projects Totals	\$251,814

IDIS - C04PR02

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
OFFICE OF COMMUNITY PLANNING AND DEVELOPMENT
INTEGRATED DISBURSEMENT AND INFORMATION SYSTEM
LIST OF ACTIVITIES BY PROGRAM YEAR AND PROJECT
WINCHESTER, VA

DATE: 05-11-07
TIME: 15:09
PAGE: 1

REPORT FOR CPD PGM: CDBG
PGM YR : 2007

PGM YR- PROJECT	IDIS ACT ID	ACTIVITY NAME	STATUS	PGM	FUNDED AMOUNT	NET DRAWN AMOUNT	BALANCE
2007-0001	HOMEOWNERSHIP						
	19	HABITAT FOR HUMANITY	BUDGETED	CDBG	0.00	0.00	0.00
2007-0002	NEIGHBORHOOD IMPROVEMENTS- N END						
	20	NEIGH IMPROVEMENTS- N END SIDEWALKS	BUDGETED	CDBG	0.00	0.00	0.00
2007-0003	NEIGHBORHOOD IMPROVEMENTS- DOUGLASS PARK						
	21	NEIGH IMPROVEMENTS- DOUGLASS PARK	BUDGETED	CDBG	0.00	0.00	0.00
2007-0004	ADMINISTRATION						
	22	ADMINISTRATION	BUDGETED	CDBG	0.00	0.00	0.00

CERTIFICATIONS

In accordance with the applicable statutes and the regulations governing the consolidated plan regulations, the jurisdiction certifies that:

Affirmatively Further Fair Housing -- The jurisdiction will affirmatively further fair housing, which means it will conduct an analysis of impediments to fair housing choice within the jurisdiction, take appropriate actions to overcome the effects of any impediments identified through that analysis, and maintain records reflecting that analysis and actions in this regard.

Anti-displacement and Relocation Plan -- It will comply with the acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, and implementing regulations at 49 CFR 24; and it has in effect and is following a residential antidisplacement and relocation assistance plan required under section 104(d) of the Housing and Community Development Act of 1974, as amended, in connection with any activity assisted with funding under the CDBG or HOME programs.

Drug Free Workplace -- It will or will continue to provide a drug-free workplace by:

1. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
2. Establishing an ongoing drug-free awareness program to inform employees about –
 - (a) The dangers of drug abuse in the workplace;
 - (b) The grantee's policy of maintaining a drug-free workplace;
 - (c) Any available drug counseling, rehabilitation, and employee assistance programs; and
 - (d) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;
3. Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph 1;
4. Notifying the employee in the statement required by paragraph 1 that, as a condition of employment under the grant, the employee will –
 - (a) Abide by the terms of the statement; and
 - (b) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;
5. Notifying the agency in writing, within ten calendar days after receiving notice under subparagraph 4(b) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer or other designee on whose grant activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant;

6. Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph 4(b), with respect to any employee who is so convicted
 -
 - (a) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
 - (b) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;
7. Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs 1, 2, 3, 4, 5 and 6.

Anti-Lobbying -- To the best of the jurisdiction's knowledge and belief:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of it, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement;
2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, it will complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions; and
3. It will require that the language of paragraph 1 and 2 of this anti-lobbying certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

Authority of Jurisdiction -- The consolidated plan is authorized under State and local law (as applicable) and the jurisdiction possesses the legal authority to carry out the programs for which It is seeking funding, in accordance with applicable HUD regulations.

Consistency with plan -- The housing activities to be undertaken with CDBG, HOME, ESG, and HOPWA funds are consistent with the strategic plan.

Section 3 -- It will comply with section 3 of the Housing and Urban Development Act of 1968, and implementing regulations at 24 CFR Part 135.

Signature/Authorized Official

Date

Title

Specific CDBG Certifications

The Entitlement Community certifies that:

Citizen Participation -- It is in full compliance and following a detailed citizen participation plan that satisfies the requirements of 24 CFR 91.105.

Community Development Plan -- Its consolidated housing and community development plan identifies community development and housing needs and specifies both short-term and long-term community development objectives that provide decent housing, expand economic opportunities primarily for persons of low and moderate income. (See CFR 24 570.2 and CFR 24 part 570)

Following a Plan -- It is following a current consolidated plan (or Comprehensive Housing Affordability Strategy) that has been approved by HUD.

Use of Funds -- It has complied with the following criteria:

1. **Maximum Feasible Priority.** With respect to activities expected to be assisted with CDBG funds, it certifies that it has developed its Action Plan so as to give maximum feasible priority to activities which benefit low and moderate income families or aid in the prevention or elimination of slums or blight. The Action Plan may also include activities which the grantee certifies are designed to meet other community development needs having a particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community, and other financial resources are not available);
2. **Overall Benefit.** The aggregate use of CDBG funds including section 108 guaranteed loans during program year(s) , (a period specified by the grantee consisting of one, two, or three specific consecutive program years), shall principally benefit persons of low and moderate income in a manner that ensures that at least 70 percent of the amount is expended for activities that benefit such persons during the designated period;
3. **Special Assessments.** It will not attempt to recover any capital costs of public improvements assisted with CDBG funds including Section 108 loan guaranteed funds by assessing any amount against properties owned and occupied by persons of low and moderate income, including any fee charged or assessment made as a condition of obtaining access to such public improvements. However, if CDBG funds are used to pay the proportion of a fee or assessment that relates to the capital costs of public improvements (assisted in part with CDBG funds) financed from other revenue sources, an assessment or charge may be made against the property with respect to the public improvements financed by a source other than CDBG funds.

The jurisdiction will not attempt to recover any capital costs of public improvements assisted with CDBG funds, including Section 108, unless CDBG funds are used to pay the proportion of fee or assessment attributable to the capital costs of public improvements financed from other revenue sources. In this case, an assessment or charge may be made against the property with respect to the public improvements financed by a source other than CDBG funds. Also, in the case of properties owned and occupied by moderate-income (not low-income) families, an assessment or charge may be made against the property for public improvements financed by a source other than CDBG funds if the jurisdiction certifies that it lacks CDBG funds to cover the assessment.

Excessive Force -- It has adopted and is enforcing:

1. A policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in non-violent civil rights demonstrations; and
2. A policy of enforcing applicable State and local laws against physically barring entrance to or exit from a facility or location which is the subject of such non-violent civil rights demonstrations within its jurisdiction;

Compliance With Anti-discrimination laws -- The grant will be conducted and administered in conformity with title VI of the Civil Rights Act of 1964 (42 USC 2000d), the Fair Housing Act (42 USC 3601-3619), and implementing regulations.

Lead-Based Paint -- Its activities concerning lead-based paint will comply with the requirements of 24 CFR Part 35, subparts A, B, J, K and R;

Compliance with Laws -- It will comply with applicable laws.

Signature/Authorized Official

Date

Title

OPTIONAL CERTIFICATION CDBG

Submit the following certification only when one or more of the activities in the action plan are designed to meet other community development needs having a particular urgency as specified in 24 CFR 570.208(c):

The grantee hereby certifies that the Annual Plan includes one or more specifically identified CDBG-assisted activities which are designed to meet other community development needs having a particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community and other financial resources are not available to meet such needs.

Signature/Authorized Official

Date

Title

Specific HOME Certifications

The HOME participating jurisdiction certifies that:

Tenant Based Rental Assistance -- If the participating jurisdiction intends to provide tenant-based rental assistance:

The use of HOME funds for tenant-based rental assistance is an essential element of the participating jurisdiction's consolidated plan for expanding the supply, affordability, and availability of decent, safe, sanitary, and affordable housing.

Eligible Activities and Costs -- it is using and will use HOME funds for eligible activities and costs, as described in 24 CFR § 92.205 through 92.209 and that it is not using and will not use HOME funds for prohibited activities, as described in § 92.214.

Appropriate Financial Assistance -- before committing any funds to a project, it will evaluate the project in accordance with the guidelines that it adopts for this purpose and will not invest any more HOME funds in combination with other Federal assistance than is necessary to provide affordable housing;

Signature/Authorized Official

Date

Title

ESG Certifications

The Emergency Shelter Grantee certifies that:

Major rehabilitation/conversion -- It will maintain any building for which assistance is used under the ESG program as a shelter for homeless individuals and families for at least 10 years. If the jurisdiction plans to use funds for purposes less than tenant-based rental assistance, the applicant will maintain any building for which assistance is used under the ESG program as a shelter for homeless individuals and families for at least 3 years.

Essential Services -- It will provide services or shelter to homeless individuals and families for the period during which the ESG assistance is provided, without regard to a particular site or structure as long as the same general population is served.

Renovation -- Any renovation carried out with ESG assistance shall be sufficient to ensure that the building involved is safe and sanitary.

Supportive Services -- It will assist homeless individuals in obtaining appropriate supportive services, including permanent housing, medical and mental health treatment, counseling, supervision, and other services essential for achieving independent living, and other Federal State, local, and private assistance.

Matching Funds -- It will obtain matching amounts required under §576.71 of this title.

Confidentiality -- It will develop and implement procedures to ensure the confidentiality of records pertaining to any individual provided family violence prevention or treatment services under any project assisted under the ESG program, including protection against the release of the address or location of any family violence shelter project except with the written authorization of the person responsible for the operation of that shelter.

Homeless Persons Involvement -- To the maximum extent practicable, it will involve, through employment, volunteer services, or otherwise, homeless individuals and families in constructing, renovating, maintaining, operating facilities, and providing services assisted through this program.

Consolidated Plan -- It is following a current HUD-approved Consolidated Plan or CHAS.

Discharge Policy Certification -- It has developed and implemented, to the maximum extent practicable and where appropriate, policies and protocols for the discharge of persons from publicly funded institutions or systems of care (such as health care facilities, foster care or other youth facilities, or correction programs and institutions) in order to prevent such discharge from immediately resulting in homelessness for such persons.

Signature/Authorized Official

Date

Title

APPENDIX TO CERTIFICATIONS

INSTRUCTIONS CONCERNING LOBBYING AND DRUG-FREE WORKPLACE REQUIREMENTS:

A. Lobbying Certification

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

B. Drug-Free Workplace Certification

1. By signing and/or submitting this application or grant agreement, the grantee is providing the certification.
2. The certification is a material representation of fact upon which reliance is placed when the agency awards the grant. If it is later determined that the grantee knowingly rendered a false certification, or otherwise violates the requirements of the Drug-Free Workplace Act, HUD, in addition to any other remedies available to the Federal Government, may take action authorized under the Drug-Free Workplace Act.
3. Workplaces under grants, for grantees other than individuals, need not be identified on the certification. If known, they may be identified in the grant application. If the grantee does not identify the workplaces at the time of application, or upon award, if there is no application, the grantee must keep the identity of the workplace(s) on file in its office and make the information available for Federal inspection. Failure to identify all known workplaces constitutes a violation of the grantee's drug-free workplace requirements.
4. Workplace identifications must include the actual address of buildings (or parts of buildings) or other sites where work under the grant takes place. Categorical descriptions may be used (e.g., all vehicles of a mass transit authority or State highway department while in operation, State employees in each local unemployment office, performers in concert halls or radio stations).
5. If the workplace identified to the agency changes during the performance of the grant, the grantee shall inform the agency of the change(s), if it previously identified the workplaces in question (see paragraph three).
6. The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

Place of Performance (Street address, city, county, state, zip code)

Check ___ if there are workplaces on file that are not identified here.

The certification with regard to the drug-free workplace is required by 24 CFR part 24, subpart F.

7. Definitions of terms in the Nonprocurement Suspension and Debarment common rule and Drug-Free Workplace common rule apply to this certification. Grantees' attention is called, in particular, to the following definitions from these rules:

"Controlled substance" means a controlled substance in Schedules I through V of the Controlled Substances Act (21 U.S.C. 812) and as further defined by regulation (21 CFR 1308.11 through 1308.15);

"Conviction" means a finding of guilt (including a plea of nolo contendere) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the Federal or State criminal drug statutes;

"Criminal drug statute" means a Federal or non-Federal criminal statute involving the manufacture, distribution, dispensing, use, or possession of any controlled substance;

"Employee" means the employee of a grantee directly engaged in the performance of work under a grant, including: (i) All "direct charge" employees; (ii) all "indirect charge" employees unless their impact or involvement is insignificant to the performance of the grant; and (iii) temporary personnel and consultants who are directly engaged in the performance of work under the grant and who are on the grantee's payroll. This definition does not include workers not on the payroll of the grantee (e.g., volunteers, even if used to meet a matching requirement; consultants or independent contractors not on the grantee's payroll; or employees of subrecipients or subcontractors in covered workplaces).